Ratification of the Chemical Weapons Convention:

Strategic and Tactical Implications

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Whether or not gas will be employed in future wars is a matter of conjecture. But the effect is so deadly to the unprepared that we can never afford to neglect the question.

—General John J. Pershing[1]

CHEMICAL WEAPONS were first used in May 1915 during World War I when the Germans released chlorine gas into the wind during the Battle of Ypres in France.[2] By the time hostilities ceased, new agents such as cyanide, phosgene, and mustard gas had been used, killing thousands of soldiers and injuring many more. The number of casualties was small compared to total casualties, but chemical weapons had played a profoundly unpleasant role.

Shortly after the war, the Geneva Protocol condemned chemical warfare. Unfortunately, the treaty banned only the first use of the weapon, but retaliation in kind was acceptable. However, the protocol lacked enforcement and verification provisions. Instead, it relied on a signatory's integrity, a virtue that was virtually nonexistent.

Since World War I, chemical warfare has occurred during the 1935 Italian-Ethiopian War, the 1980s Iran-Iraq War, and Saddam Hussein's attacks on the Kurds from 1987 to 1988. For each confirmed use, there have been many alleged cases of chemical-weapons use (for example, by Japan in China during the 1930s, by the Soviet Union in Afghanistan during 1992, and in the Yemeni civil war during the 1960s).

Countries (or individuals) seeking a weapons-of-mass-destruction (WMD) capability are attracted to chemical weapons because they are inexpensive to produce and do not require an extensive technological infrastructure such as that necessary to create nuclear weapons. Currently, about 25 nations have or might be developing a chemical-warfare capability.[3]

The UN-sanctioned 1992 Chemical Weapons Convention (CWC) comprehensively addressed these concerns and established a legally binding global standard for state-parties to—

- Never use chemical weapons and not retaliate for their first use by an enemy.
- Declare in writing their chemical-weapons stockpiles, production facilities, relevant chemical-industry facilities, and other weapons-related information.
- Never develop, produce, acquire, stockpile, transfer, or retain chemical weapons or help anyone to do so.
- Destroy chemical-weapons production facilities and the munitions themselves by April 2007.[4]

The treaty went into effect in April 1997. So far, 151 state-parties have ratified it. State-parties include countries with large chemical industries (the United States, Japan, Germany, Switzerland, and the Netherlands) and major regional powers (China, Russia, India, Pakistan, and Iran). After many years of noncompliance, Libya became a signatory state on 6 January 2004. Key nonsignatories include North Korea, and Syria, which "possess or are actively pursuing" chemical-warfare capabilities.[5] The United States, Russia, India, and South Korea have declared chemical-weapons stockpiles totaling 69,863 metric tons and 8.4 million munitions and containers.[6] Eleven state-parties began dismantling former chemical-weapons production facilities and converting them to peaceful purposes.

American CWC critics argue that complying with the CWC treaty is prohibitively expensive and leaves America exposed to rogue states that either will not accede to the treaty or will become clandestine violators. Critics feel the United States will be unable

An Iranian soldier in protective clothing holds a warning sign during the Iran-Iraq War, April 1984.

Wide World Photos

to deter chemical-weapons use or retaliate proportionally, making U.S. forces vulnerable to chemical attack. They also contend the obligatory destruction of the U.S. chemical-warfare capability will lead to a decrease in chemical-defense funding and a lowering of the U.S. nuclear threshold.

Does the absence of a chemical-warfare tactical capability hurt the U.S. military? Former Chairman of the Joint Chiefs of Staff General John Shalikashvili testified in Congress that the treaty is "clearly in our national interest. [Operation] Desert Storm proved that retaliation in kind isn't required to deter chemical warfare use. . . . The U.S. military's ability to deter chemical warfare in a post-chemical warfare world will be predicated upon both a robust chemical-warfare defense capability, and the ability to rapidly bring to bear superior, overwhelming military force in retaliation against a chemical attack."[7] General Wesley Clark stated that "from a military perspective, the CWC is clearly in our national interest.… Its nonproliferation aspects will retard the spread of chemical warfare, thereby reducing the probability that U.S. forces may encounter chemical warfare in a regional conflict."[8]

When war has occurred, U.S. adversaries have had little doubt that chemical-weapons use or the threat of their use would result in a massive, focused, disproportionate response. America's extensive, sophisticated, conventional capabilities (smart bombs, complete air superiority, and so on) are more than adequate to provide this blitzkrieg. Any use of nuclear weapons would only weaken the international nuclear arms control structure and significantly reduce the limited supply.

The CWC permits state-parties to have chemical-weapons defense programs. After the treaty's ratification, U.S. defense funding increased, as did the U.S. commitment to chemical-weapons countermeasures. Real-time detection, training, equipping, decontamination, and research significantly reduce the chemical-warfare threat by increasing the cost-to-benefit ratio for the potential aggressor.

The treaty is the best means available of preventing legitimate chemicals from falling into the hands of covert violators. Compared to earlier treaties like the 1972 Biological Weapons Convention and the 1968 Nuclear Nonproliferation Treaty, the CWC treaty has deep and broad verification mechanisms, including national declarations; routine on-site inspections; consultation and clarification mechanisms;

monitoring of commercial dual-use facilities; and state-party-initiated challenge inspections.

The CWC treaty established the Organization for the Prohibition of Chemical Weapons (OPCW), which monitors verification and can identify violators. Regular inspections make it extremely difficult for any state to covertly produce, stockpile, weaponize, or employ chemical weapons to cause significant threats or mission constraints to the United States. While this does not preclude terrorist incidents like the Tokyo subway attacks in the 1990s, it does prevent chemical-weapons tactical employment. To date, the OPCW has conducted several hundred inspections at chemical-weapons sites and dual-use facilities and helped eliminate about 7 percent of the world's chemical-weapons materials and 15 percent of its chemical munitions.[9]

While the treaty is binding only on states, it indirectly affects terrorist groups. Consider Russia, which is the proprietor of the world's largest chemical-weapons stockpile, totaling 40,000 metric tons deployed in fully operational and highly portable munitions.[10] Ensuring Russia is accountable for the destruction of its chemical weapons is in the U.S. national interest. Without global oversight from the CWC, this stockpile could be stolen or sold to terrorists.

Russia currently lacks financial resources to begin destroying its chemical weapons, but the OPCW has promised to help. Russian President Vladimir Putin has positioned security forces at all chemical-weapons depots, effectively denying access to potential violators. Like all other state-parties, Russia has also passed legislation making the CWC binding on citizens living both at home and abroad and will impose sanctions on violators.

Perhaps the strongest argument for the CWC's ratification was that the United States had already abrogated any possible chemical-warfare capability, retaliatory or otherwise. U.S. Public Law 99-145 enacted in 1986 committed the United States to destroying its chemical-weapons stockpile.[11] In 1991, President George H.W. Bush promised that the United States would not retaliate with chemical weapons even if an enemy used such weapons against U.S forces. These linchpin provisions are part of the treaty, but the United States can only gain if the rest of the world abides by the same limitations and responsibilities it imposes on itself.

The CWC penalizes nonparticipants by making them international pariahs and restricting their access to precursor chemicals. Because many of these chemicals have critical nonchemical-warfare commercial uses, the nonsignatories have economic and political incentives to ratify the treaty.

Grossing over $60 billion, chemical manufacturing is America's single largest exporting sector. Had the United States not ratified the CWC, the chemical industry would have lost several hundred million dollars a year; the United States would have been banned from the Executive Council that oversees treaty implementation; and Americans would be ineligible to serve in any key treaty verification positions.

The CWC, which is a major step forward in arms control, is the first multilateral treaty to require the elimination of an entire category of WMD under strict international monitoring. The CWC is fast approaching universal acceptance and the establishment of an international standard against chemical-weapons possession and use. Ultimately, the CWC will render U.S. forces less likely to face chemical-warfare threats in future wars, and a U.S. chemical-warfare tactical capability will be unnecessary. The treaty's ratification makes good sense militarily, politically, and economically. ***MR***

NOTES

1. Francis J. Reynolds and Allen L. Churchill, *World's War Events,* 1 (New York: P.F. Collier & Son Co., 1919), 240-47.
2. U.S. Department of the Army, Office of the Surgeon General, *Textbook of Military Medicine:* Part I (Bethesda, MD: Walter Reed Army Medical Center, 1997), 115.
3. Ibid., 6.
4. Chemical Weapons Convention (CWC) Treaty, 1992, on-line at <www.cwc.gov./treaty/cwcIndex_html>, accessed 3 February 2005.
5. Arms Control Association, "The Chemical Weapons Convention at a Glance," Fact Sheet, available on-line at <www.armscontrol.org/factsheets/cwcglance.asp>, accessed 3 February 2005. Libya acceded to the Chemical Weapons Convention on 6 January 2004.
6. Jonathan B. Tucker, "The Chemical Weapons Convention: Has It Enhanced U.S. Security?" on-line at <www.armscontrol.org/act/2001_04/tucker.asp>, accessed 3 February 2005.
7. Frederick J. Vogel, "The Chemical Weapons Convention: Strategic Implications for the United States," on-line at <www.carlisle.army.mil/ssi/pdffiles/00311.pdf>, accessed 3 February 2005.
8. Ibid.
9. Organization for the Prohibition of Chemical Weapons, "The Chemical Weapons Convention: A Synopsis of the Text," Fact Sheet 2, on-line at <www.opcw.org/html/global/search.html>, accessed 3 February 2005.
10. Ibid.
11. U.S. Public Law 99-145 designates the U.S. Army as the organization responsible for the destruction of the U.S. chemical-weapons stockpile. See on-line at <www.cdc.gov/nceh/demil/articles/safedisposal.htm>, accessed 3 February 2005.

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